

D.T.E. 01-71C

Investigation by the Department of Telecommunications and Energy on its own motion, pursuant to G.L. c. 164, §§ 1E, 76 and 93, into Fitchburg Gas and Electric Light Company's service quality filings, including but not limited to, its service quality filings submitted in response to Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84.

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FOR: FITCHBURG GAS AND ELECTRIC LIGHT
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I. INTRODUCTION

In response to substantial outages sustained by customers of some electric distribution companies during the Summer of 2001, the Department of Telecommunications and Energy (“Department”) opened an investigation into the quality of electric service provided by distribution companies pursuant to G.L. c. 164, §§ 1E, 76, 93¹ and G.L. c. 30A, §§ 10, 11. Investigation into Quality of Electric Service, D.T.E. 01-71 (September 7, 2001). The Department stated that the investigation would include, but would not be limited to, the service quality plans filed by the electric distribution companies pursuant to the Order issued on June 29, 2001 in Service Quality Standards for Electric Distribution Companies and Local Gas Distribution Companies, D.T.E. 99-84 (2001).² Id. at Att. 1. On November 8, 2001, the Department docketed the company-specific investigation into Fitchburg Gas and Electric Light Company’s (“Fitchburg”) quality of electric service as D.T.E. 01-71C.³

¹ Chapter 164 of the Acts of 1997, entitled “An Act Relative to Restructuring the Electric Utility Industry in the Commonwealth, Regulating the Provision of Electricity and other Services, and Promoting Enhanced Consumer Protection Therein” (“Restructuring Act” or “Act”).

² Fitchburg originally filed its service quality plan on October 29, 2001. After revisions, the Department approved Fitchburg’s plan on December 5, 2001. D.T.E. 99-84, at 2, Letter Order (December 5, 2001).

³ The other companies subject to investigation in D.T.E. 01-71 are Boston Edison Company, Cambridge Electric Light Company, and Commonwealth Electric Company (D.T.E. 01-71A); Massachusetts Electric Light Company with Nantucket Electric Company (D.T.E. 01-71B); and Western Massachusetts Electric Company (D.T.E. 01-71D).

On November 15, 2001, the Commonwealth of Massachusetts Division of Energy Resources (“DOER”) filed a petition to intervene.⁴ On November 19, 2001, the Attorney General of the Commonwealth of Massachusetts filed a notice of intervention as of right, pursuant to G.L. c. 12, § 11E.

Pursuant to notice duly issued, the Department held public hearings in the Company’s service territory in Lunenburg on November 26, 2001 and at the Department’s office on January 17, 2002. No written comments regarding Fitchburg’s service quality were received.

II. ANALYSIS AND FINDINGS

On August 24, 2001, the Department opened an investigation into the service quality of Fitchburg Gas and Electric Light Company (“Fitchburg” or “Company”). Investigation into Service Quality of Fitchburg Gas and Electric Service, D.T.E. 01-67, at 1 (2001). We stated that the focus of the investigation in D.T.E. 01-67 would be Fitchburg’s management of its electric distribution system, including management during the Summer of 2001. Id. Pursuant to the Department’s directive, Fitchburg filed a report assessing its distribution system’s reliability (“Report”) in D.T.E. 01-67 on October 29, 2001. Id. The Department issued an Order finding that there was no recent indication of repeated major failures in Fitchburg’s distribution system and directed Fitchburg to take action with regard to the several areas, including forecasting, maintenance, and distribution system design. D.T.E. 01-67, at 16-17.

⁴ The disposition of this proceeding in this Order renders unnecessary any decision on DOER’s petition.

The Department's assessment of the management and reliability of Fitchburg's distribution system in D.T.E. 01-67, particularly during the Summer of 2001, makes any further inquiry in this docket into Fitchburg's service quality duplicative. The Department, however, will examine Fitchburg's service quality in conjunction with its review of service quality data annually reported by all gas and electric distribution companies.⁵

By Order of the Department,

Paul B. Vasington, Chairman

James Connelly, Commissioner

W. Robert Keating, Commissioner

Eugene J. Sullivan, Jr., Commissioner

Deirdre K. Manning, Commissioner

⁵ All gas and electric distribution companies are required to file calendar-year service quality data on March 1st annually. Fitchburg's first filing was received this year on March 1, 2002.

Appeal as to matters of law from any final decision, order or ruling of the Commission may be taken to the Supreme Judicial Court by an aggrieved party in interest by the filing of a written petition praying that the Order of the Commission be modified or set aside in whole or in part.

Such petition for appeal shall be filed with the Secretary of the Commission within twenty days after the date of service of the decision, order or ruling of the Commission, or within such further time as the Commission may allow upon request filed prior to the expiration of twenty days after the date of service of said decision, order or ruling. Within ten days after such petition has been filed, the appealing party shall enter the appeal in the Supreme Judicial Court sitting in Suffolk County by filing a copy thereof with the Clerk of said Court. (Sec. 5, Chapter 25, G.L. Ter. Ed., as most recently amended by Chapter 485 of the Acts of 1971).